

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RONALD GONDA)	CIVIL ACTION NO. 00-2286
)	
Plaintiff,)	DONETTA W. AMBROSE
)	
v.)	CHIEF JUDGE
)	
METROPOLITAN LIFE)	
INSURANCE COMPANY)	
AND WILLIAM FRIEDT, JR.)	
)	
Defendants.)	

PLAINTIFF'S TRIAL EXHIBITS

AND NOW comes the Plaintiff, Ronald Gonda by and through his attorneys, Kenneth R. Behrend and files the following Plaintiff's Trial Exhibit List

EXHIBITS

1. Deposition Transcript of William Gerald Friedt, Jr. and all exhibits attached thereto;
2. Deposition Transcript of Ronald M. Gonda and all exhibits attached thereto;
3. Letter to Ronald Gonda from Robert Schwartz, Chairman of the Board, President and Chief Executive Office of MetLife, thanking Mr. Gonda for joining the growing number of people choosing MetLife to help with their financial needs; (Bates No. RMG000001);
4. 50/50 Savings Plan Presentation Documents contained in Blue Binder delivered to Plaintiff, Bates No. RMG 000001-RMG000031
5. Document entitled "My Insurance, Financial and Estate Plans", with Jere Friedt, Jr.'s name on it, Bates No. RMG000002;

6. March 23, 1992, Document entitled 50/50 Personal savings Plan vs. Individual Retirement Account (I.R.A.) And Certificate of Deposit (C.D.), Bates No. RMG000003;
7. April 30, 1992 Whole Life Plus Illustration of Values of the Funding of a Retirement Plan prepared for Ronald Gonda, Bates No. RMG000004-RMG000005;
8. April 30, 1992 Whole Life Plus Illustration of Values of the Funding of a Retirement Plan prepared for Ronald Gonda, Bates No. RMG000006-RMG000008;
9. Policy No. 925-207-015-A, Metropolitan Whole Life Policy in the amount of \$64,667 dated April 27, 1992, Bates No. RMG000009-RMG000031);
10. April 28, 1992, Letter to Ronald Gonda regarding Paid-Up Additions Rider - Policy Number 925 207 015 A, Bates No. RMG000032;
11. Metropolitan Life Insurance Company Notice of Cash Surrender Payment, Bates No. RMG000033 - RMG000034;
12. April 27, 1993 Notice of Payment Due on Policy No. 925 207 015 A, Bates No. RMG000035-RMG000036;
13. Prudential Policy No. D80 263 288 Dated August 9, 1973, Bates No. RMG000041-RMG000085;
14. April 2, 1992 Letter from Leonard Niczky to Prudential Ins. Co. of America regarding replacement of Mr. Gonda's Prudential Policy, Bates No. MP2157000138;
15. Service Request Form dated January 21, 1994 cash surrendering Policy No. 925 207 015 A, Bates No. MP2157000025;
16. Policy Fact Sheet for Policy No. 925 207 015 A, Bates No. MP2157000028-MP2157000029;
17. Whole Life Illustration Dated March 25, 1992, Bates No. MP2157000032-

MP215700033;

18. May 6, 1992 Letter from Dan Roddy, MetLife Underwriter to Ronald Gonda regarding Policy No. 925 207 015 A, Bates No. MP2157000036;

19. April 27, 1992 Sonic Message Regarding Check-O-Matic Authorization, Bates No. MP2157000046;

20. Application for Life Insurance dated March 25, 1992, Bates No. MP2157000047-MP21570000-MP2157000052;

21. May 13, 1992 Sonic Message from Jere Friedt to Judy regarding Check-O-Matic Authorization, MP MP2157000071;

22. Request for Policy or Contract Data, "please waive 068 and set SI to pay 1A..., Bates No. MP2157000086;

23. Policy Information for Policy No. 925-207-015-A, Bates No. MP2157000104-136;

24. Policy Receipt and Delivery Log, Bates No. MP2157000137;

25. Letter from Gary Antonino to Craig Sabo dated March 1, 1991, Bates No. MP2157000263;

26. January 29, 1991 Letter form William Friedt to Pittsburgh Region, Bates No. MP2157000264

27. Sonic Message from Barbara La Chance to Robert Scott dated February 19, 1991, Bates No. MP2157000271;

28. October 29, 1993, Termination Letter to William Friedt from Robert Scott, Bates No. Bates No. MP2157000391;

29. October 25, 1993 resignation letter from William Friedt to Ronald Herrman, Bates

No. Bates No. MP2157000393;

30. Termination Report, William Friedt, Bates No. Bates No. MP2157000395-MP2157000396;

31. Sonic message regarding state securities registration-William Friedt dated March 5, 1992; Bates No. MP2157000401;

32. June 1, 1993, Letter from Ronald Herman to Gary Antonino regarding Complaint for sale of 50/50 program by William Friedt, Bates No. MP2157000404;

33. January 2, 1992 Letter from Ronald Herman to J.F. Smith Re: Customer Complaint, Bates No. MP2157000491;

34. November 11, 1991 Letter from MetLife to Robert Schwartz, Bates No. MP2157000495;

35. July 23, 1994 Sworn statement of William Friedt, Jr., Bates No. MP2157000490-542;

36. FIP Reports for William Friedt, Jr., Bates No. MP2157000543-589;

37. January 26, 1993 letter from William Friedt, Jr. to Ronald Herman regarding customer complaint, Bates No. MP2157000596-597;

38. December 21, 1993 letter from Commonwealth of Pennsylvania Insurance Department, Bates No. MP2157000615-623;

39. February 10, 1999 Letter from Russell Gremlich to the Pennsylvania Insurance Department; (Bates No. MP2157000636);

40. June 2, 1994 Letter from _____ to the Pennsylvania Insurance Department regarding sale of "Individual Retirement Benefit," Bates No. MP2157000678-680;

41. Deposition Transcript of Wilhelmenia Taylor in Ihnat v. Metropolitan Life

Insurance Company, et al. dated September 26, 2002 and all exhibits attached thereto;

42. Deposition Transcript of Wilhelmenia Taylor dated October 1, 2002 and exhibits in Ihnat v. Metropolitan Life Insurance Company, et al.

43. Deposition Transcript of James L. Rayl in James L. Rayl vs. Metropolitan Life Insurance Co., Inc. taken on February 25, 1998 - bates MP4011069546 through MP4011071493 including exhibits 1 through 54;

44. Deposition of James L. Rayl and all exhibits attached thereto, in James L. Rayl vs. Metropolitan Life Insurance Co., Inc. taken on April 13, 1998 - bates MP4011050061 through MP4011050078 including exhibits 55 through 58 - bates MP4011103537 through MP4011103564;

45. Pennsylvania Sales Practices Guide; (Bates No. MP0004002744);

46. Memorandum from Barbara Timpano (Bates No. M069700330372-378)

47. Documents Concerning Short Term Pay. Plan Illus. (APP) dated 2/4/80 - Bates MP4011149715 - MP4011149726

48. Documents Concerning the APP dated 6/9/80 - Bates MP4011149687 - MP4011149692

49. Memo Regarding Insert for APP dated 6/19/80 - Bates MP4011149681 - MP4011149681;

50. Release to Field force dated 8/20/80, re: Accelerated Payment Plan (APP) - Bates M109749230416 - M109749230417;

51. Publication Met Up-to-date 1980-4 = The Accelerated Payment Plan (APP) - Bates M109758200153 - M109758200160;

52. Re: Sales and Service Release - Accelerated Payment Plan - dated 12/12/80 -

Bates M089716241756 - M089716241757;

53. Frank Dochniak's letter to T. LaBadia re: Accelerated Payment Plan (APP)

Arrangements dated 10/21/1987 - Bates MP925000042170;

54. Thomas M. LaBadia's letter to A.F. O'Leary re: Accelerated Payment Plan (APP)

dated 11/04/1987 - Bates MP925000042169;

55. Market Conduct Report of Metropolitan Life Insurance Company as of December 27, 1993 issued on February 11, 1994 by the Commonwealth of Pennsylvania Insurance Department; Bate No. MP0004032909 - MP0004033127;

56. Report of Investigation into Sales Practices of Metropolitan Life Insurance Company issued on March 6, 1994 by the Florida Insurance Commission; (Bates No. MP4011167635-MP4011167815);

57. Connecticut Market Conduct Report of Metropolitan Life, Ihnat_FT00216-Ihnat_FT000275;

58. Harold Leff's letter to Branch Managers and District Sales Managers re: Accelerated Payment Plan and Financed by Inforce Policies dated 12/24/1987 - Bates MP925000004819;

59. Re: Accelerated Payment Plan (APP) Arrangement -release to Field Force dated 8/17/88 - Bates M099730840119 - M099730840120;

60. Re: Control of Accelerated Payment Processing -to Policyholders Svcs Managers from Richard Schramm, PI Admin&Information Svcs dated 9/5/89 = decentralization of AP Processing to individual head office admin offices - Bates M119766700164;

61. "Letter from Jim Rayl to a Metropolitan Life Vice-President stating that: We cannot afford to leave policyholders with the impression that AP is a done deal - dated

11/07/1992 - Bates MP4011070961 - MP4011070962;

33. Letter from Jim Rayl to Tom LaBadia, a Metropolitan Life Director of Customer Services and Communications regarding Referrals to AP as Paid-Up dated December 7, 1992 bates MP4011071038;

34. Letter from Jim Rayl to David Martin, a Metropolitan Life Director of Customer Services and Communications to the Vice-President of the MidAmerica Territory regarding Referral of Accelerated Payment Plan as Paid-Up dated December 23, 1992 - bates MP4011071027 - MP4011071029;

35. Letter from Jim Rayl, a Metropolitan Life Director of Customer Services and Communications to another Customer Services Director, Kathy Schoos regarding Accelerated Payment Plan dated December 31, 1992 - bates MP4011071025;

36. APP Communications (proactive) letter dated 05/23/1993 - Bates M059701651054 .. M059701651056;

37. Proposed Strategy for Accelerated Payment Plan letter to Jacqueline M. Thoresz from Rebecca H. Greene dated 12/03/1993 - Bates MP4011003488;

38. A Proposed Strategy for the Accelerated Payment Plan (APP) dated 11/18/1993 - Bates MP4011003489 .. MP4011003498;

39. Update on the APP Proposal letter dated 12/28/1993 - Bates M059701650926"
"Update on the APP Proposal - letter dated 12/28/1993 - Bates M059701650927 - M059701650929;

40. Accelerated Payment Plan release dated 01/03/1994 - Bates M059701650495 - M059701650496;

41. J. L. Rayl letter to Robert J. Crimmins, dated 01/19/1994 - Bates MP4011070354

- MP4011070359;

43. The MetLife Sales Practices Guide - Pennsylvania - Bates M069705340031 - M069705340048;

44. Re: AP Illustrations - letter to Darlene from Cheryl dated 7/19/94 - Theresa Hornsby called to tell me there is definitely a problem with the cash value being guaranteed and she is going to pursue the problem with Marketing, etc. - Bates M069702250267;

45. Vanishing Premium letter from Greg Doby dated 08/02/1994 - Bates M069700100662 - M069700100688;

46. Comments on Draft AP brochure doc dated 08/24/1994 - Bates M059701651128 - M059701651140;

47. Letter from Jim Rayl to the Vice-President of Personal Insurance customer service Re: Customer Complaint - Changing Dividend Basis dated September 29, 1994 - bates MP4011071016;

48. Letter from Jim Rayl to the Vice-President of a Metropolitan Life customer service center Re: Consumer Education Wish List: dated October 28, 1994 - bates MP4011071009-014;

49. Accelerated Pay Paid to Dated Errors eMail dated 12/24/94 during Processing of Dec 20th - Bates M069702250415;

50. Status of AP Natural Work Team Project and Update on UL I Natural Work Team Projects letter dated 12/30/1994 - Bates M059701242899 - M059701242900;

51. Letter from Jim Rayl to the Senior Business Systems Consultant: Traditional Portfolio and Dividends for the Personal Insurance line of business dated January 3, 1995 - bates MP4011071008;

54. AP Arrangement - about notification of policyholders letter dated 01/11/1995 - Bates M069702251058 - M069702251062;
55. Consumer Education Program for APP Arrangement letter dated 02/07/1995 - Bates MP4011003093;
56. Accelerated Payment (AP) arrangements Memorandum dated 02/08/1995 - Bates MP4011003107 - MP4011003108;
57. Consumer Education Program for MetLife's Policyholders on Accelerated Payment (AP) arrangement letter dated 02/15/1995 - Bates MP4011003094 - MP4011003099;
58. AP Arrangement Proposals letter dated 2/19/1995 - bates MP4011003109 - MP4011003110;
59. Accelerated Payment (AP) Arrangement letter dated 05/01/1998 - Bates MP4011003100 - MP4011003101;
60. Accelerated Payment - Customer Feedback Survey results dated 06/15/1995 - Bates MP4011159913; MP4011159915 -MP4011159917; MP4011159920; MP4011159922; MP4011159924; MP4011159926; MP4011159930; MP4011159940; MP4011159942; MP4011159948; MP4011159952; MP4011159956; MP4011159962; MP4011159978; MP4011159984; MP4011160006;
61. Vanishing Premium Letter to Anthony C. Cannatella, Exec VP NYHO from Lawrence Brewster Mktg VP Northeastern Terr. dated 09/01/1995 - Bates M059701650621 - M059701650622;
62. Accelerated Payment Arrangement (AP) Option Program letter to The Field Force from Joseph W. Jordan, Sr VP dated 08/18/1997 - Bates MP4011003111 - MP4011003120;
63. 1987 Dividend Scales - Personal Life Insurance and Annuities Met Life Ins Co

release dated 01/12/1987 - Bates MP4011004190 - MP4011004191;

64. 1987 Portfolio - Illustrative Dividends letter dated 10/09/1986 - Bates MP4011004188 - MP4011004189;

65. History of Deferred Income Assets dated 07/01/1987 - Bates MP4011004201 .. MP4011004217;

66. "Ordinary Life Insurance - Proposed 1988 U.S. Dividend Scales Memorandum dated 07/09/1987 - Bates MP4011004192 - MP4011004200;

67. 1988 U. S. Ordinary Dividend Scale letter dated 10/23/1987 - Bates MP4011003849 - MP4011003850;

68. Appendix B - Market the Product not the Illustration DRAFT Release dated 05/1988 - Bates MP4011004225 - MP4011004232;

69. Major Issues - Preliminary Dividend Recommendations 1989 Scale Memorandum dated 05/24/1988 - Bates MP4011003859 - MP4011003867;

70. 1990 Dividend Recommendations - Personal Lines of Business - Preliminary Proposal letter dated 05/31/1988 - Bates M099717300577 - M099717300578;

71. Background Memorandum 1989 Dividend Proposals dated July 24, 1988 - bates M019817630445 - M019817630452;

72. Major Pros and Cons regarding a dividend reduction for 1990 letter dated 05/30/1989 - Bates MP4011003868 - MP4011003869;

73. Preliminary Dividend Recommendations 1990 Dividend Scales - United States Business letter dated 07/12/1989 - Bates MP4011003870 - MP4011003873;

74. Preliminary Dividend Recommendations 1990 Dividend Scales - United States Business letter dated 07/13/1989 - Bates MP4011003874 - MP4011003878;

75. Schedule M from the Annual Statement for the Year 1989 - Bates
MP925000000850 - MP925000000854;
76. Final Dividend Recommendation 1990 Scales 03/1990 draft - Bates
M019817630062 - M019817630067;
77. Increase in Withdrawals From Dividend Balances Memorandum dated
03/22/1990 - Bates MP4011003835;
78. Withdrawals of Additional Insurance Dividend Balances fax dated 03/23/1990 -
Bates MP4011003834;
79. Annual Report 1989 - FIP liberalization footnote letter dated 03/26/1990 - Bates
MP4011003832 -MP4011003833;
80. Final Dividend Report to Management US Ordinary Life - 1990 Scales - dated
03/30/1990 - Bates M099717350202 - M099717350208;
81. 1990 Dividend Scale - Question-and-Answer Guide letter dated 04/06/1990 -
Bates M109734240129 - M109734240131;
82. 1991 Dividend Recommendations letter dated 05/07/1990 - Bates MP4011003879
- MP4011003883;
83. Preliminary Recommendationsletter date 06/07/1990 - Bates MP4011003884 -
MP4011003886;
84. US PLI 1991 Dividend Scales letter dated 06/11/1990 - Bates MP4011003887 -
MP4011003892;
85. 1991 Dividend Scales - Preliminary Discussion Points Memorandum dated
05/10/1991 - Bates MP4011003893 - MP4011003898;
86. Minutes from Chairman's Planning Board Meeting dated 07/01/1991 - Bates

MP925000014218 -MP925000014224;

87. Personal Insurance Dividends letter dated 10/15/1991 - Bates MP4011003899;

88. 1992 Dividend Scales for Personal Insurance and Annuitites letter dated
10/15/1991 - Bates MP4011003900 - MP4011003907;

89. History of MetLife's Ordinary Annual Dividend Scales - bates M129740290134 -
M129740290137;

90. MetLife's Historical Credited Dividend Rates dated April 11, 1994 - bates
M069702170274 - M069702170276; MP925000296367;

91. MetLife's Historical Credited Dividend Rates dated April 11, 1994 - bates
M069702170274 - M069702170276; MP925000296367;

92. A Chart Comparing MetLife's Historical Credited and Illustrated Dividend Rates
By Year - developed from Bates M0697021270274 - M069702120276 and MP925000296367;

93. Sales Illustrations - Explanation Page - Bates MP4011003082;

95. Bates No. MP0004026568-Video Tape of MetLife APP Research-Four Focus
Groups;

97. "A Proposed Strategy for the Accelerated Payment Plan (APP) Bates No.
M069702320835-M069702320844.

100. Memo from L. Michelle Ligon, J.D., Manager, Advanced Sales & Consulting
Services, Metropolitan Life Insurance Company to Southeastern Associates, Dated January 5,
1989, (Bates No. M821100440650)

107. VHS Tapes MetLife APP Research-Four Focus Groups (Bates No.
MP0004026568)

108. December 19, 1997, Letter from Daniel F. Harrigan, Program manger, Market

Conduct Division, State of Connecticut to Harry P. Kamen, Bates No. MP925000316310-311.

109. State of Connecticut Insurance Department Stipulation and Consent Order, Bates No. MP925000229200-207.

110. November 29, 1993 Memorandum from Mike Levine to Anthony Amodeo, Bates No. MP92500075172-174.

111. Chart of Recently Closed, Open or Upcoming Investigations of Metropolitan Life, Bates No. MP925000170486-487.

112. Chart of MetLife State Fines and Forfeitures 2000, Bates No. MP925000327415-416.

113. MetLife Corporate Internal Audit - Individual Business - Ethics and Compliance Bates No. MP925000017436-440.

114. MetLife Corporate Internal Audit - Audit of Policy Illustrations Compliance Bates No. MP925000156670-675

115. "MetLife Enhanced Ethics and Compliance Program Status Report dated January 1995 - Bates M933400010028 .. M933400010040"

116. Business Ethics Project Preliminary Report for MetLife Personal Insurance October 3, 1990 Revised October 9, 1990 by Beverly Loy Taylor - Bates No. MP4011145057 - MP4011145067

117. Business Ethics Project for MetLife Personal Insurance November 7, 1990 by Beverly Loy Taylor - Bates No. MP4011145015 .. MP4011145028

118. 1992 Accomplishments & Programs Customer Services & Communications, MetLife Customer Service Center - Tulsa - Bates MP4011069726 .. MP4011069739

119. All exhibits listed in Defendants' Pre-Trial Statements

Respectfully submitted,
BEHREND AND ERNSBERGER, PC

/s/Kenneth R. Behrend
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CERTIFICATE OF SERVICE

I, Kenneth R. Behrend hereby certify that a true and correct copy of the foregoing Plaintiff's Trial Exhibit List has been served upon all counsel of record on this 12th day of June, 2006, to the following:

B. John Pendleton, Jr., Esquire
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